

DISTRICT OF COLUMBIA STATEHOOD CONSTITUTIONAL CONVENTION

- - -

Saturday, April 10, 1982

Washington, D.C.

The plenary session was convened at 12:50 p.m. in Convention Hall, 9th floor, 10th and E Streets, N.W., Washington, D.C., Mr. Charles I. Cassell, Chairman, presiding.

# C O N T E N T S

	<u>PAGE</u>
Call Convention to Order	3
Meditation	3
Roll Call	3
Approval of Minutes	8
Announcements	10
Adoption of Agenda	10
President's Report	11
Convention Secretary's Report	48
Executive Secretary's Report	50
Treasurer's Report	53
Committee Reports	
Executive Branch - Delegate Simmons	61
Judiciary - Delegate Blount	65
Suffrage - Delegate Johnson	66
Finance and Taxation - Delegate Barnes	67
Preamble and Rights - Delegate Charles Mason	68
Education - Delegate Lockridge	70
Legislative - Delegate Long	71
Local Government - Delegate Talmadge Moore	74
Rules and Calendar - Delegate Robinson	76
Ad Hoc Statehood Compact Commission - Delegate Jordan	77
Ad Hoc Committee on Public Information and Media - Delegate Thomas	87
Health, Housing and Social Services - Delegate Paramore	92
Style and Drafting - Delegate Corn	93
New Business	97
Adjournment	144

P R O C E E D I N G S

THE CHAIRMAN: I will call the Convention to order.

Time for meditation.

Mr. Secretary, would you call the roll please?

DELEGATE COOPER: Delegate Baldwin.

(No response.)

DELEGATE COOPER: Delegate Barnes.

DELEGATE BARNES: Present.

DELEGATE COOPER: Delegate Blount.

DELEGATE BLOUNT: Here.

DELEGATE COOPER: Delegate Bruning.

DELEGATE BRUNING: Here.

DELEGATE COOPER: Delegate Cassell.

DELEGATE CASSELL: Present.

DELEGATE COOPER: Delegate Clark.

(No response.)

DELEGATE COOPER: Delegate Coates.

DELEGATE COATES: Present.

DELEGATE COOPER: Delegate Cooper. Present.

Delegate Corn.

DELEGATE CORN: Corn is here.

DELEGATE COOPER: Delegate Croft.

DELEGATE CROFT: Here.

DELEGATE COOPER: Delegate Eichhorn.

(No response.)

DELEGATE COOPER: Delegate Feely.

DELEGATE FEELY: Present.

DELEGATE COOPER: Delegate Freeman.

(No response.)

DELEGATE COOPER: Delegate Garner.

DELEGATE GARNER: Here.

DELEGATE COOPER: Delegate Graham.

(No response.)

DELEGATE COOPER: Delegate Harris.

(No response.)

DELEGATE COOPER: Delegate Holmes.

DELEGATE HOLMES: Here.

DELEGATE COOPER: Delegate Jackson.

DELEGATE JACKSON: Present.

DELEGATE COOPER: Delegate Johnson.

DELEGATE JOHNSON: Present.

DELEGATE COOPER: Delegate Jones.

(No response.)

DELEGATE COOPER: Delegate Jordan.

DELEGATE JORDAN: Here.

DELEGATE COOPER: Delegate Kameny.



(No response.)

DELEGATE COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: Present.

DELEGATE COOPER: Delegate Long.

DELEGATE LONG: Here.

DELEGATE COOPER: Delegate Love.

(No response.)

DELEGATE COOPER: Delegate Maguire.

DELEGATE MAGUIRE: Present.

DELEGATE COOPER: Delegate Marcus.

DELEGATE MARCUS: Good afternoon.

DELEGATE COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: Good afternoon.

DELEGATE COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: Here.

DELEGATE COOPER: Delegate Brian Moore.

DELEGATE BRIAN MOORE: Present.

DELEGATE COOPER: Delegate Jerry Moore.

(No response.)

DELEGATE COOPER: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: Present.

DELEGATE COOPER: Delegate Nihikian.

(No response.)

DELEGATE COOPER: Delegate Nixon.

(No response.)

DELEGATE COOPER: Delegate Oulahan.

(No response.)

DELEGATE COOPER: Delegate Paramore.

(No response.)

DELEGATE COOPER: Delegate Robinson.

(No response.)

DELEGATE COOPER: Delegate Rothschild.

DELEGATE ROTHSCCHILD: Here.

DELEGATE COOPER: Delegate Schrag.

DELEGATE SCHRAG: Here.

DELEGATE COOPER: Delegate Shelton.

(No response.)

DELEGATE COOPER: Delegate Simmons.

(No response.)

DELEGATE COOPER: Delegate Street.

(No response.)

DELEGATE COOPER: Delegate Terrell.

(No response.)

DELEGATE COOPER: Delegate Thomas.

DELEGATE THOMAS: Here.

DELEGATE COOPER: Delegate Warren.

DELEGATE WARREN: Present.

DELEGATE COOPER: Delegate Baldwin.

(No response.)

DELEGATE COOPER: Delegate Clark.

(No response.)

DELEGATE COOPER: Delegate Eichhorn.

(No response.)

DELEGATE COOPER: Delegate Freeman.

(No response.)

DELEGATE COOPER: Delegate Graham.

(No response.)

DELEGATE COOPER: Delegate Harris.

(No response.)

DELEGATE COOPER: Delegate Jones.

(No response.)

DELEGATE COOPER: Delegate Kameny.

(No response.)

DELEGATE COOPER: Delegate Love.

(No response.)

DELEGATE COOPER: Delegate Jerry Moore.

(No response.)

DELEGATE COOPER: Delegate Nihikian.

(No response.)

DELEGATE COOPER: Delegate Nixon.

(No response.)

DELEGATE COOPER: Delegate Oulahan.

(No response.)

DELEGATE COOPER: Delegate Paramore.

(No response.)

DELEGATE COOPER: Delegate Robinson.

(No response.)

DELEGATE COOPER: Delegate Shelton.

(No response.)

DELEGATE COOPER: Delegate Simmons.

(No response.)

DELEGATE COOPER: Delegate Street.

DELEGATE STREET: Here.

DELEGATE COOPER: Delegate Terrell.

(No response.)

DELEGATE COOPER: Twenty-seven present, Mr. President.

THE CHAIRMAN: There being 27 present, the Convention is now in session.

May I have a motion for the approval of the minutes?

Delegate Blount.

DELEGATE BLOUNT: I move the adoption of the minutes with the corrections.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: It has been moved and seconded that the minutes be adopted. Any discussion?

DELEGATE COOPER: There should be one correction there. If you look in the first paragraph, the middle initial on Mr. Julius Hobson is incorrectly stated as "P"; His middle initial is "W".

THE CHAIRMAN: All right.

Any further corrections?

(No response.)

THE CHAIRMAN: Okay. There being no further corrections, do I here a motion to adopt the minutes as corrected?

(Whereupon, the motion was moved and seconded.)

THE CHAIRMAN: All right. It has been moved and seconded that the minutes be adopted as corrected. All those in favor, signify by saying aye.

(A chorus of "ayes".)

THE CHAIRMAN: Those opposed.

(No response.)

THE CHAIRMAN: Abstain.

(No response.)

THE CHAIRMAN: The minutes are adopted.

Announcements. I see a lot of young people with us again here today. I don't know who they are.

These are the Cub Scouts of Pack 340 led by somebody named --

DELEGATE COOPER: Somebody named William Cooper.

THE CHAIRMAN: -- William Cooper.

(Applause.)

THE CHAIRMAN: All right. Welcome and I hope that you will be encouraged by what you hear here and I would keep us mindful of the fact that we need to set an example for these youngsters who may be going through something like this when we revise our constitution 20 years or so from now.

Thank you very much.

I would like to announce also that the plaque that Josephine Butler, Chairperson of the D.C. Statehood Party, left with us after her talk last week is now on the wall there. And without objection we will use Convention funds to provide a modest but appropriate, suitable frame for that.

Okay. Are there any other announcements of community activities, anything that the Convention needs to know about?

(No response.)

THE CHAIRMAN: May I have a motion for the adoption of the agenda as listed here?

DELEGATE JOHNSON: Mr. President, I move that we adopt the agenda as stated for April 10th.

THE CHAIRMAN: Is there a second to that motion?

DELEGATE LOCKRIDGE: Second.

THE CHAIRMAN: It has been moved and seconded that the agenda, as indicated on the list here, be adopted. Any discussion?

(No response.)

THE CHAIRMAN: All in favor, signify by saying aye.

(A chorus of "ayes".)

THE CHAIRMAN: Those opposed.

(No response.)

THE CHAIRMAN: Abstain.

(No response.)

THE CHAIRMAN: The agenda is adopted.

Item number seven is the President's Report. Regarding the public hearings that we are having, this is the beginning of the second week of public hearings. Three committees had their public hearings last week. This week will be a very, very heavy schedule of public hearings. The committee chairs met with the Executive Committee a short time ago to discuss whatever problems you may have regarding support, regarding court reporting services and regarding timeliness. Those

committee chairpersons, I'm certain, will communicate to the various members the decisions and suggestions made at that time.

But let me just ask if there are any other items of support needed for the Convention's public hearings next week that may not have come up in that meeting?

Delegate Street, Delegate Moore.

DELEGATE STREET: Mr. Chair, I would like to put on the record the need to have support for the office of the historian. It is projected that some days beyond the Convention the work of the historian will be at its peak. We need staff; we need equipment and we need any other monies that might be necessary for the publication binding of the documents.

Thank you very much.

THE CHAIRMAN: Okay.

The public hearings are a part of that record and they are a part of what the historian will be wanting to include in the history made of this convention.

Okay. Any other issues in connection with the public hearings which will continue and be completed next week?

Yes, Delegate Corn.

DELEGATE CORN: This is not in conjunction with public hearings. This would be under what's needed to get



this constitution on time.

THE CHAIRMAN: All right. My question was: Are there any other questions in connection with the public hearings? Okay. We will hold that.

Now we have exhausted the funds provided for us by the Mayor in connection with court reporting services. All court reporting services from this point on we are going to have to pay for ourselves. We have been fortunate. I have talked to several of the large corporations. One so far has come through. Pepco has given us \$800 for reporting services. Yes, I think that's worth a round of applause.

(Applause.)

THE CHAIRMAN: I would like your authority to write them a nice letter thanking them for that and any future services that they will be willing to provide for us. We're going to Washington Gas Light; we're going to the courts which have onboard court reporting services and the D.C. Counsel has indicated that they may be willing to provide some of that if we let them know our total needs, our total available resources and the balance of those. So that is an issue that is a bit of a problem for us.

Now I would like to suggest -- and this is something that came up in the meeting with the committee chairpersons

this morning -- that we try to economize in time. The court reporting services have resulted in our hearings so far now on an average of 40 to 50 pages. If we can reduce that, we will reduce our need to buy additional services. So I would like to suggest to all committee chairpersons that if and when there must be some extraneous conversation that you go off the record to reduce time and certainly you reduce the length of testimony or anything that really isn't necessary.

And we also have problems in connection with court reporting services for our plenary sessions, of which this is one. We are paying for this today. We are not -- we have no services from the D.C. Government anymore. So I would like to suggest that in order to economize on the amount of money that we have to borrow or ask for, that we try to keep our own sessions as short as possible. I have asked the committee chairpersons to keep their reports to a maximum of ten minutes, less if possible -- five minutes to make the report and five minutes for questions. Most of the committee reports are not going to take more than two minutes or so anyway. So we are going to try to economize in time today. If there is any extraneous material or discussion that just must go on, I'm going to go off the record so that we can keep these discussions down to a minimum as far as court reporting services are

concerned.

The next thing is the plenary sessions. We are getting to the point now we are going to have to start thinking about and planning for the continuous plenary sessions, during which time we are going to be offering our proposals regarding articles for the constitution. You recall the schedule that I proposed earlier that we adopted had us meeting for the complete month of May and all-day sessions; that is, those four weeks in May. As it turns out, it does not appear to be practical to try to get everybody administrative leave so that we can meet all day long for those four-week periods. Even those persons who may be excused by the Mayor, who work for the District of Columbia Government, may have difficulty with their supervisors that we can't particularly deal with. Therefore, we are thinking in terms of meeting beginning April the 26th, which is the last week in April and then the four full weeks in May. That gives us five weeks. Four of those weeks would be for the first and second readings. I hope that you all have a copy of this proposed schedule which is up here at the front now. And you will notice that it has taken the first -- the first reading as covering the period -- now let me wait until anybody who doesn't have a copy of that has it so that you can see the schedule that the Executive Committee

proposes that we follow regarding our continuous plenary sessions.

Everybody who doesn't have that, please get a copy of this.

There is a legend and the legend assigns a letter to each committee so that we can show those committees in tabular form without taking up the amount of space that would otherwise be needed to list these committees on the calendar and you will see that the Executive Branch Committee is A; Legislative Branch Committee is B; Judicial C and so forth.

And we start with the last week in April which begins on the 26th and then take the first week in May, we take those two weeks for the first reading of our various articles. With the time that we have left, you can see that this is still a very tight schedule. You will recall also that we have set as a target the date for completing the convention, for completing the constitution writing, May the 22nd. We have scheduled here the completion of the first and second readings by that date, May the 22nd and left the last week in May, up to the 29th, which is the end of our 90-day period for any third readings or treatment by the Style and Drafting Committee.

We take those first two weeks -- it gives us only

one day for each of the ten committees -- one day; we take those second two weeks, it gives us one day for the second reading of each of the ten committees, which means a very well ordered, a well-disciplined schedule of presentation. The Executive Committee has indicated that it would be well -- and we had this discussion with all of your committee chairpersons who were there -- that we try to read each one of the articles on that first day; that means the first day, the first reading for your committee, to read each one of your articles in its entirety and then to have an explanation, a written explanation, given verbally also by the committee chairperson so that you hear all the articles from that particular committee chairperson.

Then at the end of the reading period, at the end of the explanation period, then there will be the questions. And after the questions -- and this is the first reading -- such amendments as will come about for that particular committee's one-day session. This will take two weeks because there are ten days in two weeks and that gives each committee an opportunity to make its report.

The second readings will be the second and third weeks of May. And again you have each of the committees, each of the ten committees. When they have completed that work, you

would have had an opportunity for amendments during that second reading.

The third week or rather the fourth week, which is the last week in May and the last week that we have to write our constitution would be that opportunity for any further amendments, those things that have been brought about by the Style and Drafting Committee and on the 29th we would hopefully be prepared to adopt the constitution.

Now that is a very tight schedule. We believe that we can't start any earlier than the last week in April simply because we've got to have some time after the public hearings, which are the end of next week, to summarize that work and to complete the articles and all committees have not written all of their articles and have not gotten all of their proposals in. We would hope that between the 15th, which is the end of this coming week, and the 26th that all committees would have completed their draft proposals and be ready on the 26th to begin functioning in accordance with a schedule similar to this.

Now I have asked each of your committee chairpersons to review this with you and to have your responses and to determine that we can or cannot use a schedule like this or revise it within this particular time. But this is all the

time that we have and I'm asking each one of your committee chairpersons to meet with you as soon as possible to confirm the time schedule for our plenary sessions.

The time, inasmuch as we are not able to meet in a day, has been proposed as 5:30 each day until 11:00 -- 5:30 each day until 11:00. You will notice that there is nothing scheduled for each of the Saturdays at the end of these weeks, those Saturdays being reserved for such time as the convention itself may decide on its own impetus to meet, to resolve any of the issues that were not resolved during the week. For instance, if the Executive Branch Committee gets three-quarters of the way through its reading and any amendments that come up that first reading, it may want to continue meeting on Saturday; rather than to load us down now with a six-day schedule, we will leave that open. If the convention wants to meet on those Saturdays, then there will be an opportunity that we could finish any work which was not finished in the first reading of any one of those committees.

Now we can have some discussion on this, but I want to indicate to you that we can't resolve any of these things here. This is something you will have to discuss with your committee chairpersons. If you have things that the convention needs to know about that you cannot resolve in your



committees, then let's take those but let us also be mindful of the fact that we are paying out of our funds for our court reporting services; try to keep it low.

Delegate Corn, Delegate Marcus.

DELEGATE CORN: I would like to ask a question right before I make a comment. What time did you say the meetings would be everyday?

THE CHAIRMAN: The proposal was 5:30 to 11:00.

DELEGATE CORN: 5:30 p.m. to 11:00 p.m.

THE CHAIRMAN: Monday through Friday.

DELEGATE CORN: Would it be presumptuous to think that this place would be open and give us the proper support staff that we would need Saturday and Sunday for Style and Drafting to do this work within the time period and the constraints that are herein set forth?

THE CHAIRMAN: I don't know. We can inquire and see. We do not have this building on Sundays, but the convention may very well want to authorize to meet elsewhere. We can't pay for it here.

DELEGATE CORN: President Cassell, I think that there is something I would like to say right now so that it's on the record, so that come May 29th there is no discussion how come the things didn't get done as they should have, et cetera.



I want to make it very clear that we need -- for Style and Drafting to get done with this constitution in a timely manner each step along the way, the first drafting and the second drafting, pulling the whole thing together, we need the kind of word processing machine, preferably a Vydec machine with operators two shifts, day and night.

THE CHAIRMAN: Okay. Those things we are permitted to provide, right? They are not things that we need to discuss on the floor because we are going to get anything that we can. One of the reasons we are revising our budget, once we know what our balances are, things we will know what they are today, we are prepared to provide whatever you need in services, supplies, word processors.

Delegate Marcus.

DELEGATE MARCUS: I may have missed part of what you said, Mr. President.

Is it my understanding that if a committee does not complete its report on the day that's set aside for it, that the committee must seek permission from the convention to get that report out on another day?

THE CHAIRMAN: No, I didn't say that. What I did was to indicate the number of days available to us, the number of committee reports, that a day will be assigned to each

committee to present its reports, to make its explanation, to receive questions and to entertain amendments; hopefully such amendments as must be given will come on that same day. Right?

Then what isn't completed on that day hopefully can be completed on the Saturday for which we have no schedule because on the next day the next committee has its time.

DELEGATE MARCUS: So if a particular committee does not finish -- let's say Preamble and Rights doesn't finish, for example, on the 30th, they will be able to do it in the first of the month?

THE CHAIRMAN: Yes. I understand that you have quite a few articles.

DELEGATE MARCUS: Yes.

THE CHAIRMAN: Yours may be one of those committees, but discipline is going to be very, very important simply because there are only so many days. And we figure we certainly can't start the writing by April 26th.

DELEGATE MARCUS: Thank you.

THE CHAIRMAN: Delegate Schrag.

DELEGATE SCHRAG: Mr. President, I think that this is a good and realistic schedule and I thank the Executive Committee for preparing it for us.

I just would like to call to the attention of all

delegates as they look over these dates --

THE CHAIRMAN: Please. We really are trying to economize time. That thing is running there today and we are paying for it. So please let us have quiet so we can hear.

DELEGATE SCHRAG: I would just like to call to the attention of all delegates as they look at these deadlines, the rule that requires proposals for committees and their accompanying reports to be in the hands of all delegates three days before those reports are to be considered on the floor. So you must subtract three from all the members in this document for the real deadline of your committee; that is, the Executive Branch Committee would have to have its proposal and its report in the hands of all delegates by the 23rd, not the 26th under our rules.

THE CHAIRMAN: Yes, thank you, Delegate Schrag.

These are among the things that committee chairpersons are asked to provide to their members and to be mindful themselves regarding this whole procedure. And I encourage -- we are going to have another committee chairperson meeting and it's extremely important that all committee chairs attend them. We will let you know at least a day in advance and it seems that's about as much advance notice that you can get with all the other committee hearings going on. Please, all committee

chairpersons, make an extreme effort to attend the next meeting of committee chairpersons.

Yes, sir.

DELEGATE ROBINSON: Delegate Robinson, Ward 5. I would like to also thank the Executive Committee for preparing this schedule. However, I should like to say that the Rules and Calendar Committee has proposed to this body as it is scheduled. And it is my understanding that this schedule that we are now looking at is only proposal coming from the Executive Committee.

And it is also our intent to prepare to present to this body on next Saturday a finalized schedule for the convention in terms of plenary sessions for the last part of April through the remaining days of this convention.

THE CHAIRMAN: Yes. Your committee chair also is urged to come to our next meeting so that we can work that out together.

Yes, Delegate Simmons.

DELEGATE SIMMONS: Yes. With all due respect, Mr. President, and I think this is fine and we certainly have to have this, but the Executive Committee, the Executive Branch Committee developed its schedule way back in March, early March. And we indicated that our text would be completed with

the consensus of the committee by the 28th of April. So I see that we are for the 26th. Now I'm sure that you don't have all these pages in front of you when you put together this kind of thing, but I would think that a minor kind of modification like that might in fact be respected since that has clearly been since the early March scheduling what this committee saw as feasible and realistic. And we would be very happy for your respectful consideration with regard to it.

THE CHAIRMAN: Delegate Simmons, we're very happy to accommodate that request. In fact, there are others who have asked to be put ahead, who are ready now. We can make any adjustments. It really isn't important what the order is, but it's important that we have an order and that everybody knows that anything that they want to submit to those has to come, as Delegate Schrag has indicated.

Delegate Talmadge Moore and Delegate Long.

DELEGATE TALMADGE MOORE: Talmadge Moore, Ward 5. Mr. President, I was wondering whether any provision has been made as far as the law is concerned for that last month in the event Style and Drafting does not complete that work. Have you made provisions or written any letters relative to extending Style and Drafting some time to complete their task, in the event they don't complete their task in the month of May?

THE CHAIRMAN: That was addressed to the chair. Now the chair would like to respond.

DELEGATE CORN: I --

THE CHAIRMAN: Delegate Corn, please listen to me. Now the remark was addressed to the chair; the chair would like to respond and then the chair will give you an opportunity to comment.

The question was: In the event that the Style and Drafting Committee has not completed its work by the 29th, in which time we are supposed to submit the constitution, are there any provisions? Let me say to you something else we are going to talk about later on and I might as well say it now. We received a communication from the Mayor's office indicating that inasmuch as the Statehood initiative legislation is not clear regarding how the finished work of this constitution is transmitted to the voter or to the Congress, that they are proposing -- the Mayor himself is proposing to the City Council specific legislation.

And what he is saying to us for our reaction is that he will propose that to clarify the legislation that 30 days after the completion of the writing of the constitution, which is to be May the 29th, that that be submitted to the Mayor. And we have 30 days to play with that. Right? He is willing to

say to the City Council that he will take it from us 30 days after its completion and that he will submit it to the City Council. He has also indicated that there needs to be some specific qualifications for something else that goes with the referendum and that is the election of two Senators and one representative who shall, if it passes the referendum in the City, transmit this to the United States Congress.

Now within that 30-day period, if indeed our Style and Drafting Committee has not completed the work of putting into order what has been completed on the 29th, we would think that there would be an additional time in which we could let them do their work.

What we don't have is any money to do any work beyond the 29th. What the Mayor has suggested and what I propose we do is to indicate that there may be a time for the Style and Drafting to do its work, for court reporting services, for editorial services that we may want to engage for Style and Drafting, which means additional money. And we have been advised that we may ask for that money, but that is a response that we have yet to make.

Now Delegate Corn.

DELEGATE CORN: I appreciate very much that you are going to get us an extra month and extra money or personnel.



However, that is not where the problem lies. Let me explain to you why.

Between the first reading and the second reading is when Style and Drafting edits what is handed to us. So you cannot have a second reading until we have already done Phase I of our work. Then between the second reading and what is called the third reading is again the redrafting. Then in order for you to vote on the entire document on the 29th, we will have to pull the whole thing together by the 29th, put it in a way to make there are no inconsistencies so that the Executive Branch -- you have all voted on the Executive Branch Committee's report, one thing for the Legislature to do and then under the Legislative Branch's report you voted something exactly diametrically opposed and you voted both sections. And so in order for the whole document to get back for the 29th, we will have had to do our work.

The only way that extra time and money and personnel will count is if you move off the date of the 29th for the final adoption or move off the time between the first and the second readings, the second and the third and third and final adoption.

DELEGATE GARNER: Point of order, Mr. Chairman.

THE CHAIRMAN: Okay, point of order.



DELEGATE GARNER: I do not believe that there is a motion on the floor. I believe we are in the point of the agenda where the President is making announcements. The President has made the announcement about a proposal from the Executive Committee. It is the intention, I believe, of that announcement and of the Chairman of the Rules Committee that a proposal will be on the floor next Saturday.

Given that, if that's correct, Mr. Chairman, I believe the order of the day is for you to continue your announcements and next Saturday we will have proposals on what is the appropriate schedule for the plenary sessions. It is important that people know about this but today is not the day for the debate. Is that correct, Mr. President?

THE CHAIRMAN: I understand what you are saying. The chair is willing to respond since we are going to -- some of the chairs did not make that meeting this morning. The Executive Committee is going to have to make some decisions or some decisions regarding proposals which we will make next week. We really need as much input as possible. I don't want to take any unnecessary time, but I think that Delegate Corn made a valid point. And that valid point is that their work has to go on during the course of the proposal.

Now we are considering making a recommendation for

some provisions in that, which means a revision in the rules. And that is, inasmuch as the time is so tight and it's always possible that any one committee just may not finish its work in one day. If it doesn't finish its work in one day, the only opportunity it has to deal with that first reading is the following Saturday. If there are an awful lot of committees that have work to do on that following Saturday, then that may create a very serious problem. Therefore, we are considering not having the Style and Drafting Committee involved in trying to massage what happens during that first reading, but to let that first reading consist of the reading, the explanation, the questions and the amendments.

Inasmuch as they may not finish that day and there may be things to do on Saturday, on the following Saturday, then Style and Drafting doesn't want to get involved in what has not been completed. So we are thinking about the possibility of proceeding right to the end or to some point between the 22nd and the 29th and providing such resources as Style and Drafting may need in the way of editorial assistance, clerical assistance, so that that work could be done at that point rather than to try to put the constitution in some sort of editorial form when the committees themselves may not have completed their work along the way. But we haven't made any decision. This is

something that we need the participation of all the committee chairpersons of. And I'm hoping that we can meet early next week to decide just how we interface the work of the Style and Drafting Committee with incomplete work from the various proposals which may not be completed day by day that they can massage.

Delegate Schrag. I'm sorry, Delegate Long. I beg your pardon, and then Delegate Maguire.

DELEGATE LONG: I just wanted to pose a couple of considerations with respect to time. The committees are each allotted the same amount of time. I believe that that is probably not a workable solution. I think that it's evident that some committees need more time than others. It's a hard decision to make but it is a consideration.

Also the time now is fixed for the same amount of time for first reading as for second reading. And I believe that the committees themselves should make recommendations about the allocation of time between first and second reading.

And finally the question of the legal review. We have Corporation Counsel or the General Counsel, I should say. At what point will the General Counsel review the material which is adopted by the convention, at whatever stage? At some point that has to be done with Style and Drafting.

THE CHAIRMAN: All right. Some committees have already asked for the assistance of General Counsel now and the first meeting we are setting up is Tuesday with General Counsel. We haven't discussed the point at which General Counsel will interface with what comes up, you know. And that's something we have yet to deal with.

DELEGATE SIMMONS: Point of information, Mr. President. Who is our General Counsel?

THE CHAIRMAN: The General Counsel is Mr. Herbert O'Reid (Phonetic).

DELEGATE SIMMONS: Did I miss some time when you were sharing with us that you had also worked on something with Howard University so that there is more than one person that will be giving us some services?

THE CHAIRMAN: No. I don't know whether you missed it or not.

DELEGATE SIMMONS: You did say that?

THE CHAIRMAN: Yes.

DELEGATE SIMMONS: So that Herbert O'Reid will not be the only person?

THE CHAIRMAN: No. He will bring in -- we have requested that he bring in one individual whom we had before and that is Warner Lawson, student, and other professors who

can be taken from classes as available.

DELEGATE SIMMONS: I guess that the query -- thank you, Mr. President. The query really emanates from a concern that if what is written is going to be dealt with in a timely fashion, I for one would hate to see any obstacles to our meeting our deadline because of a lack of the good housekeeping seal of approval from the legal aspect of this body's General Counsel.

I have not up to this point -- and I'm only speaking personally about my own comfort level. I have not been comfortable with what has purported to be our General Counsel and the advice and direction and guidance. It seems to me that, after we have marched along this road, we could have used if there is a General Counsel some counsel -- since that's what he is called, counsel and not a lawyer -- we could have used that counsel so that the job at the end would be considerably diminished because we would have done it right in the first place. And if my point is understood, that's my concern.

THE CHAIRMAN: Yes. Are you making a recommendation?

DELEGATE SIMMONS: Yes. I guess what I really would like to recommend, Mr. President, is that we find out the availability of the General Counsel and those who will be assisting him and see if at this juncture they can't sit in

on the committees as they are functioning so that the writing can be done with some counsel and guidance, so that it doesn't become at the end the whole thing having to be revamped. That's going to make the Style and Drafting Committee just absolutely impossible.

So I would like to see if they have any assistants, if he has any assistants -- I know you can only be in one place, but if he has the assistants of these other commitments, then they ought to have a calendar of the schedule and they ought to try to help now for the purpose of guidance. I don't mean they have to sit through every meeting. I'm respectful of their time and their talent, but I don't think that's an unreasonable request.

THE CHAIRMAN: In response to your question, first of all, General Counsel has not been available up to now. We just made a decision two weeks ago. The General Counsel, as it turns out, had a brother who died and he has not been available to us until this week. Okay.

Secondly, nobody had requested any General Counsel assistance. Had such happened, we could have availed ourselves of that anywhere.

Thirdly, as I indicated to you, we don't have the sufficient funds to hire a General Counsel to be with us on a

daily basis. The understanding was that he would be on a retainer basis and he would respond when we called him or her. As it happens, it is a him. Since we have a relationship with Howard University, since we suggested that the university itself may be our counsel and, inasmuch as that was not an appropriate relationship as indicated by the university itself, the Dean of the Law School indicated that with this particular individual, perhaps their most prominent staff member, that all of those persons who are available will be available to us.

We now need to indicate where we could use that service. Inasmuch as we are going to -- not going to complete the writing at the earliest until the 22nd, it will be well for persons to ask for that counsel right now, as at least one committee chairperson has. And we can then, you know, see just what is available to us in the way of law students, law professors, interns, paralegals and whatnot.

Delegate Blount.

DELEGATE BLOUNT: Yes. Mr. Chairman, as a follow-up to Delegate Simmons' comments --

DELEGATE MAGUIRE: Point of order, Mr. Chairman.

THE CHAIRMAN: Delegate Schrag.

The point of order is well taken. I have already indicated that she is next. I'm sorry. Was that your point



of order?

DELEGATE BLOUNT: Mr. Chairman, as the follow-up --

THE CHAIRMAN: Sir, she has the floor. I was just indicating that I had already indicated that she was next and I inadvertently called on you.

DELEGATE MAGUIRE: I don't want to take much more time than scheduled, but I was wondering if you could respond to why the Executive Committee had worked out nighttime meetings as opposed to the originally scheduled daytime, and if that can be reconsidered, daytime meetings?

THE CHAIRMAN: Well, you will recall that we felt and we still feel that daytime meetings would be ideal; we would have more time if we meet from 9:00 to 6:00, right, and maybe even come back if we like.

The Executive Committee in discussing the feasibility of getting all of us released on administrative leave so that we will continue to be paid -- and I think all of us work -- was very small. We might get the Mayor who employs perhaps half of the delegates or maybe less than that to give them released time, but there are many of us who work for private organizations and we did not feel that we could get them released for a full month. As it turns out now, we are talking about five weeks. Rather than to have some people able to be



released and paid and others not, we thought the feasible thing to do would be simply stick with the nighttime meetings. If there were a way to have us meet during the day, we certainly would go for it.

Delegate Blount.

DELEGATE BLOUNT: Mr. Chairman, as a follow-up to Delegate Simmons' comments, I would like to move that the General Counsel would review the draft articles already available, because when you say "request", I find that that really does not work. I want this to be official, that he will review all the proposals -- the articles that are drafted and when they are drafted.

DELEGATE JOHNSON: I second it.

THE CHAIRMAN: It has been moved and seconded that the General Counsel be requested to review all draft proposals submitted so far.

DELEGATE SIMMONS: Point of personal privilege. I would like for him to include a time in his motion, if he will consider that. I think it's very, very important because otherwise we're going to have a constitution which is not ours but is going to be the General Counsel's because he gets it so late he gets to write it as he pleases.

THE CHAIRMAN: Delegate Schrag.

DELEGATE SCHRAG: I won't object to the making of this motion but I think that in fact it is out of order because this is an announcement period. The time for new business is in the new business part of the agenda. And I'm afraid we're about to get off on a debate on a motion and --

THE CHAIRMAN: No, this is not the announcement period. This is the President's Report period.

DELEGATE SCHRAG: I'm sorry, the President's Report period, but not a time for motions and resolutions and so forth, if I understand correctly.

THE CHAIRMAN: Yes, I think your point is well taken.

I would like to respond to that because there is a logic in that and then the Secretary has reminded me that there is a special order for the day which was to have taken place at 1:30 and that is to deal with amendments that were asked last week -- or proposed last week and that are on the agenda for dealing with today at 1:30. The time is now 1:35.

Delegate Blount, I think that Delegate Schrag has raised a valid point. However, since I allowed you to speak on that, let me just respond.

I think it is well for us to make that request. I don't know that we can make a demand since he is on retainer at a relatively low figure to respond when we request. Because

of the lateness of the hour and because of his unavailability, albeit through no fault of his own because of the death in his family, we would request him that he would review and give us counsel on everything up to now in the shortest possible time.

I don't know as I would order him since we are not paying him as an employee that he has to give it to us by a time certain, but I could certainly request it.

Now, Mr. Secretary, what is the special order that is pending for today?

DELEGATE COOPER: You will note in your minutes of April 3rd, there is a special order pending for 1:30 this afternoon to act upon the recommendations of the Rules Committee that were reported out last week but were not able to be acted upon because of the lack of the two-thirds of the delegates.

THE CHAIRMAN: Okay. Would you read those amendments please or just summarize them?

DELEGATE COOPER: The amendments to be acted upon would be as follows: The Cooper amendment, amending Rule 2.4, paragraph (c), and 2.5, paragraph (f); the Brian Moore amendment to Rule 2.3(b); and the Gloria Corn amendment to Rule 6.1.

THE CHAIRMAN: Okay. You will recall we had an extended debate on that and we were prepared to vote on that.

In fact, we tried over and over and over again but we simply couldn't get a quorum. We don't have a quorum now?

DELEGATE COOPER: We don't have two-thirds.

THE CHAIRMAN: That's right.

DELEGATE COOPER: They're in the hall.

THE CHAIRMAN: Are you volunteering, Delegate Robinson, to see if you can get our quorum in here, two-thirds, so that we can take care of this once and for all?

DELEGATE ROBINSON: Mr. President, I would hasten to say that the delegates left.

THE CHAIRMAN: Permanently.

DELEGATE ROBINSON: And could the matter be considered next week at such time when we have a quorum and such time that the Rules Committee have brought it back, although it was not acted on last Saturday because of a lack of a quorum?

THE CHAIRMAN: Before we do that, let me see if we can find out -- we've got a special order; we have to deal with it. And the only way we can deal with it is that we make a specific determination that we don't have two-thirds. All right, how many do we have in the house, Mr. Secretary, and how many do we need to get?

DELEGATE COOPER: We have 24 in the house.

THE CHAIRMAN: Well, if there are six others, then

we will -- we still don't have a quorum. Are there other delegates in the house that you know of who may come in? If that's all we have, then we won't be able to act on that.

I'm going to entertain a suggestion made by Delegate Robinson and that is inasmuch as we do not have two-thirds, we can't take action on this. Let's put this off for another week. And I would also entertain a motion to take this up as the first order of business next week when presumably we have at least 30 people here and see if we can make an attempt to get 30 people. Those are important motions and they really need to be passed.

DELEGATE FEELY: I so move.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: Okay. It has been moved and seconded that this become the first order of business on the agenda. In fact, could you make that a special order so that we must take this up immediately after the minutes.

DELEGATE FEELY: I move a special order of business for our next meeting at the plenary session in order to take action on the rules changing as recommended, 2.4(c), 2.3(b), 2.5(f), and 6.1.

DELEGATE CORN: Second.

THE CHAIRMAN: I don't want to put a time on it because

we never know when, but immediately after the reading of the minutes, the approval of the minutes.

It has been moved and seconded now. Is there any discussion on that?

DELEGATE FEELY: Since there has been the problem of having the exact number immediately upon the determination of the fact that we have the necessary two-thirds.

THE CHAIRMAN: All right, Delegate Feely has amended her motion to read that immediately at the next meeting, upon the determination that there is a two-thirds majority in the house, that we take up this issue, and that is the passing of these three motions.

All right, all in favor of that motion, please signify by saying aye.

(A chorus of "ayes".)

THE CHAIRMAN: Those opposed.

(No response.)

THE CHAIRMAN: Abstain.

(No response.)

THE CHAIRMAN: All right. There is someone raising his hand in the rear there. I do not recognize the individual. I would say to you, sir, that if you are not a delegate you may not speak.

VOICE: I just wanted to ask the chair and the rest of the delegates to speak a little louder so we can hear.

THE CHAIRMAN: Thank you, sir. Okay. We are still on the President's Report. Delegate Schrag and Delegate Rothschild and Delegate Johnson.

DELEGATE SCHRAG: Mr. President, just two short remarks to make about the calendar.

THE CHAIRMAN: (Bringing the convention to order.) One of the guests who was here to hear what transpires at this meeting has indicated that he cannot hear. I don't know whether we can ask people to speak much louder but we can certainly ask everybody to please be quiet while someone else is speaking.

DELEGATE SCHRAG: Mr. President, I just have two short remarks to make about the calendar. One is to underscore and perhaps refine a bit a point that Delegate Corn has made before on the calendar and the Mayor's proposal for an amendment to the statute. And that is it's not only not practical but it wouldn't be legally proper for Style and Drafting to finish up its work after May 29th, because whatever Style and Drafting does, it's going to involve a change of wording, even if it's only a subtle change in wording. This body will have to approve that for it to be valid.

Whatever Style and Drafting does has to come back to



the body. Whatever the body does has to be done by May 29th. So we must work out a calendar that includes all of the Style and Drafting work before May 29th and none of it after May 29th.

The second point --

DELEGATE CORN: Could I add one thing to that? Unless the whole body is given the extra work.

DELEGATE SCHRAG: The second point, Mr. President, is on the proposed rules change that you talked about, to change the role of Style and Drafting in the process. I would strongly advise against that. When the original Rules Committee worked out the method of drafting the constitution and when the body debated that through and the Style and Drafting has worked on the rules, I think we have come to a general consensus that the role that we have devised for Style and Drafting, which is that it has two cracks at making the constitution worded in a reasonable and readable manner, is a good one. And it's necessary for Style and Drafting to have both those cracks because the first one is one that comes while there is still a reasonable possibility of the body fixing it up at second reading.

The second one is a kind of a last chance, an emergency chance. When it puts together the entire constitution

at that point, anything that is a problem is very difficult to fix. And it's necessary for Style and Drafting to have the role of making it easier to fix and under our rules we have done that; we have said a majority can approve changes even at the last stage that are necessary to avoid conflicts within the constitution.

So I think it's not desirable to alter the rules with respect to Style and Drafting and its role in the process.

THE CHAIRMAN: Okay. Thank you.

Let me point out that no change in our rules or in the process is recommended by the Mayor's proposal. The Mayor simply indicating when we should transmit to him what we have completed and that could be anytime.

DELEGATE SCHRAG: I think only printing should take place after the 29th; no word changes at all. That means we really have to be done on the 29th.

THE CHAIRMAN: Okay.

Delegate Rothschild.

DELEGATE ROTHSCCHILD: Yes. I've looked at some of the other ways in which different states have dealt with their consitution and the debate that went on regarding adopting of it. My impression is from reading about Hawaii and Alaska and others that the time they put in on a free and

open debate on this thing was far more extensive than we are even beginning to have provision for.

In reading about, I think, it was Alaska, they spoke to the fact that at one point only 24 -- it only took 24 hours for the second reading of a particular article. At other points it spoke to the fact that it took six hours just to discuss one element of the section, just one decision on one part of a section. Now I'm concerned. I realize a lot of the constraints we have are from the outside, the money and the time element, but I think it's negligent on the part of this convention -- and I don't put the blame on any one person, but just a feeling that we are not giving proper consideration to the fact that these constraints are unreasonable and that we are writing a document that is of substantial importance to our lives and the people who elected us. And I'm just concerned that there is no real opportunity to put this thing together in a proper, orderly and open fashion and it won't be anyone's fault. It will just be our fault.

THE CHAIRMAN: May I cut you short there and say I understand what you are saying is two things: First of all, these constraints were obvious to us when the legislation was passed and when we ran to fill these posts to do this work and we all committed ourselves to function within that time.

Secondly, we're still on the President's Report. I want to get that out of the way so that we can get on with the rest of it. I understand your point of view and these are constraints that are problems for all of us.

I'm going to go on to the next item of business now.

DELEGATE JOHNSON: I have a small point.

THE CHAIRMAN: Yes, but what I am saying is I am going to move the agenda because this is the President's Report which really is a report, right, and there is an appropriate time for other things.

DELEGATE JOHNSON: This has to do with something that just came up. I just want to make a quick suggestion.

THE CHAIRMAN: On your promise that this is germane and very quick.

DELEGATE JOHNSON: Mr. President, I just rise to request of the Secretary that copies are made available for all the delegates of the proposed amendments that we will be voting on next week.

THE CHAIRMAN: Okay. That is still something that can come under new business, right, or unfinished business.

That completes the President's Report and that was essentially the discussion of what took place in the Executive Committee meeting today and the tremendous necessity for us

to get a tight and well-disciplined schedule to function under the constraints that have just been mentioned.

The Convention Secretary's report, Mr. Cooper.

DELEGATE COOPER: Mr. Secretary, the report for April 10th, 1982: During the preceding week, there have been no proposals from committees; there have been two proposals from delegates. Those are proposals 1-004 from Delegate Franklin Kameny, which is entitled "Prohibition on Non-Germane Legislative Provisions"; and proposal number 1-0005 from Delegate Kameny which is entitled "Prohibition on Inclusion of Substantive Legislative Legislation in Appropriations Bills".

Try to keep your titles kind of short. To date there are no third readings scheduled for today, no second readings nor first readings scheduled for today.

During the week, there were no proposed rule amendments received. There are currently three rule amendments still in circulation, those being the Cooper amendment to 2.4 and 2.5, the Corn amendment to 6.1, and the Brian Moore amendment to 2.3.

That concludes the report of the Secretary, Mr. President.

THE CHAIRMAN: Delegate Blount.

DELEGATE BLOUNT: Mr. Chairman, I didn't hear the

first proposal. What was the first proposal?

DELEGATE COOPER: The first proposal was entitled "Prohibition on Non-Germane Legislative Provisions".

DELEGATE BLOUNT: I gave you one.

DELEGATE COOPER: It wasn't received during the week. You just gave me that this morning. It's not on this report.

THE CHAIRMAN: Okay. Let me ask you if we could improve in the timeliness of the beginning of our conventions. Our problem is that we just don't get a quorum until anywhere between 12:30 and 1:00. Now at 12:00 next week the Mayor is going to address us and then at 4:00 on the same day Congressman John Kanya (Phonetic) is going to address us. At 4:00 on April the 24th the Chairperson of the City Council will address us. So each of these individuals are individuals who in his or her own way have provided substantive support to this whole process. Out of respect to those speakers, we really need to be here at 12:00 sharp next week.

Yes, sir.

DELEGATE BLOUNT: I submitted a proposal the other day. It was typed this morning and I gave it to Delegate Cooper and he tells me that it can't be introduced this morning.

DELEGATE COOPER: You just gave it to me at 12:35 today.

DELEGATE BLOUNT: Yes, I'm saying why it can't be introduced. What's the ruling on that?

DELEGATE COOPER: You can bring it up to this body.

THE CHAIRMAN: What do you mean when you say introduced?

DELEGATE BLOUNT: A proposal -- in the rules it says that any delegate may present a proposal and the President will refer it to a committee.

THE CHAIRMAN: Yes.

DELEGATE BLOUNT: So I'm saying why --

THE CHAIRMAN: Well, if you submitted it just today, I haven't had a chance to see it and refer it yet. When I see it, it will be referred. I don't understand what the problem is.

I'm sure it will be considered, you know, by the appropriate committee.

Okay, the Executive Secretary's report.

MRS. ELLINGTON: This is the Executive Secretary's progress report.

During this week much of the work has been -- during this week we have continued in our efforts to meet the needs of the delegates. The typewriters which have been promised to us are supposedly to be delivered not later than next Tuesday.



Two will be put in the delegates' lounge; some will be put in the area for the research assistants and the rest will be scattered among staff. We continue to have security problems and weather problems because the room at the end of the hall is terribly cold and we have had to move our people around. So that in itself has been a problem.

The binders that we told you about a few of you have picked up but have been somewhat disappointed because they're not three-ring binders. However, hole punchers are on route for you to be able to use them satisfactorily.

We are in need of volunteers to help us to deliver a donated spring water machine, since we found that the cost was so prohibitive to get one for just this short period of time. If someone has a truck, a small truck or a small -- or a large stationwagon, to let me know and we could get it delivered here; we can have it immediately at no cost other than to purchase the water.

I'm still awaiting a copy of any written documents or newspaper articles regarding the convention that you have on hand so that we can have it for the historian. In addition, you will be interested to know that we have 14 -- the university law students are going to come in and some of the concerns that you have mentioned today about the legality or legal

language that will be utilized can be directly given to these young lawyers and they will take them back to their schools and get some clarification on them.

We are asking them, however, to submit specific questions in writing so that they can be correctly transported and you can get very specific answers as is required in such situations. And during the month of May, these students will be able to work directly with the committees here in the hall.

Now I have been promised a consolidated report of the research assistants' time and use and that will be available to you not later than Thursday of next week. You will be interested to know that background papers on the North Dakota constitutional convention are now available in the research office. They are bound copies, so we are guarding them rather closely.

Again, I am inviting all chairpersons to meet with me during the week of April 15th. There are a number of items that we have to work to pull together; that is, the use of the public information officer, the use of the research assistants and getting your needs clearly established and prioritized so that we all know what they are. And this is best done on a one to one basis. So please set up a mutually

convenient time that we could meet for at least a half an hour on specifics.

Briefly, that's my report. All checks have been received for all staff through the 27th and those of you who have not yet received it have been given individual explanation as to why. But they are available to you.

Are there any questions?

(No response.)

THE CHAIRMAN: Thank you, Mrs. Ellington.

The Treasurer's Report, Delegate Jones.

DELEGATE CORN: Point of order, Mr. Chair, it's not on the agenda that has been adopted.

DELEGATE JORDAN: I was going to say, Mr. Chairman, that there is no Treasurer's Report here.

THE CHAIRMAN: Well, Madame Treasurer, I guess you can't make the report; somebody left your name off of the agenda.

DELEGATE JONES: Well, since Mr. Jordan will not run a fellow Ward 8 delegate off of the podium, I'm sure that he won't do that.

Good evening -- afternoon, Theresa Jones, Delegate from Ward 8, God's country. I'm going to report on three different parts of the budget.

The budgeted figures as first projected: The delegate stipend was \$87,750.00; the staff compensation was \$51,500.00; contractual services was \$9,350.00; impressed fund \$1,400.00, which brought out total budget to \$150,000.00. Since then we have had a donation of \$800.00 from Pepco, which is an in-kind services budget that's earmarked for court reporting.

To date, for delegate stipends we have expended over the two pay periods \$22,704.00, which leaves an unexpended balance of \$65,046.00. For staff compensation we have expended \$7,083.00, which leaves a total of \$44,417.00. Contractual services \$1,214.00, which leaves a total of \$8,136.00. Our impressed fund \$263.00, which leaves a total of \$1,137.00. The total of that is \$31,244.00 -- I'm sorry, \$31,264.00, which leaves a total of \$118,756.00.

Now we have done some projections for what happened here in March. It was projected that one-third of the budget would be spent in the month of March. For delegate stipend we said we would spend \$29,250.00. And our actual expenditure there was \$22,704.00. So, therefore, we have a March balance.

Staff compensation we projected \$17,167.00. We have only spent \$7,083.00, which also leaves a March balance.

Contractual services we projected we would spend

\$3,117.00. We have only spent \$1,214.00 which also leaves a projected balance.

The impressed fund we projected we would spend \$467.00. We have only spent \$263.00, so we have a March balance.

Our projection on the March balance on one-third of the projected budget was \$18,736.00. Now we are going to have to bring about a budget revision and that revision will be written up and handed to you at the next plenary session.

We are having a problem here with people signing time sheets; we are having a problem with people picking up their stipend checks. And I wish we would correct that, I really do.

Delegate Talmadge Moore made a suggestion that the time sheets be given to the committee chairs and that the committee chair get your signature to stop us from having this great run-around. The problem is that most of you are on different committees and that's confusing. I wish people would come past the Executive Secretary's office to sign the time sheet and to pick up your stipend check. That's all we're asking. We have a problem with security. And we have to do certain things to secure those checks, which makes it difficult for us. So I'm pleading with you; next time I'm

going to be fussing with you. So please do two things: come past and sign your time sheets and come past and pick up your stipend checks.

Are there any questions I can answer? I saw Delegate Lockridge and Delegate Simmons.

DELEGATE LOCKRIDGE: I only have one question and that is, is there a second time as to the date checks will be ready?

DELEGATE JONES: No, because the Controller's Office is on no schedule and of no obligation to do things on a timely fashion.

Delegate Simmons was next and then Delegate Corn.

DELEGATE SIMMONS: Delegate Jones, I need some guidance and information. I hear the problem that you are talking about with regard to delegates signing so that they can get paid. I really view every delegate as a mature adult; I wouldn't chase anyone and beg them to sign to get their money. If they come by and do it, fine; if they don't, then it's delayed and they may not get it until next July, but that becomes an individual delegate mature responsibility. And I think as long as you treat people like children, they will behave as children; when you treat them as adults, they will behave as adults. And I don't think you ought to be begging or

fussing. I think you ought to make the information available and let us each assume responsibility for taking ourselves -- we're here four and five days a week. Someone can stop by and sign and I just think that ought to be a closed issue. I don't think we ought to be spending our time talking about people getting paid or not getting paid. We're here to write a constitution. We're not here to waste our time about that.

I have another point I wish to make. The other point I wish to make, Madame Treasurer, I need some direction and some guidance from the steering committee, from the Treasurer, from the Executive Director or whomever. I want to know who signs the time on research assistance?

DELEGATE JONES: Dr. Austin.

DELEGATE SIMMONS: I want to know how can Dr. Austin know when a research assistant has put in time or has not put in time?

DELEGATE JONES: The research assistants are supposed to come to work, sign the time sheet, in and out and he is supposed to know their whereabouts and what they are doing.

DELEGATE SIMMONS: Well I'm not going to beg that issue. We know that that isn't true. So what I want to know is I think that committee chairs who have a close and intimate relationship or should with the research assistant for that



committee ought to also sign the time on research assistants. And I would like to move when it is in order that no research assistant is paid and his time goes in until the committee chair has also signed off on that time.

(Whereupon, the motion was seconded.)

DELEGATE SIMMONS: No, I say when it is appropriate, Mr. President.

THE CHAIRMAN: Are there any other questions for the Treasurer?

DELEGATE JONES: Delegate Corn was next and then Delegate Rothschild.

DELEGATE CORN: It would seem to me to alleviate a lot of the wasted time that we deal with administrative matters and it seems to weigh more heavily than the working and the writing of the constitution. At the end of each two-week period, could you not have the time sheets ready so that as the roll call is called, you can check them off, have everybody sign them here and not burden us with all of these administrative details. For those of us who are not government workers, we find this bureaucracy absolutely nauseating.

DELEGATE JONES: Delegate Corn, as not being employed by the Federal or the District Government, I find it nauseating too, but it's something I have to do because I was elected as

Treasurer. And I'm sorry but I'm here to write the constitution too and I do two things, some bureaucratic stuff and writing of the constitution. And the writing of the constitution takes precedent over the bureaucratic stuff. So we have to do it this way. I'm sorry.

Delegate Rothschild is next.

DELEGATE ROTHSCCHILD: Yes, I would like to recommend Pepto Bismol to the previous speakers.

(Laughter.)

DELEGATE ROTHSCCHILD: The other thing I would like to ask is: Do we -- is any of that surplus in March available for court reporting? In other words, can that money be shifted around and used in different things?

DELEGATE JONES: When you revise the budget and it goes to the Executive Committee and it comes to the convention and we will entertain that suggestion, which is a good suggestion.

Delegate Brian Moore.

DELEGATE BRIAN MOORE: Madame Treasurer, from your observation of the budget now, do you foresee any major problems ahead other than what the President addressed to us today?

DELEGATE JONES: Major problems of what?

DELEGATE BRIAN MOORE: Of availability of money or

lack of funds.

DELEGATE JONES: There has always been a lack of money, unavailability of money. Now we are asking everybody and hopefully some of this delegation is going to ask everybody who they think can donate money and even the people who they don't think can donate money but might know other people who can donate money to donate monies to this convention so that we will have some monies to complete our task.

DELEGATE BRIAN MOORE: Can you make some appropriate recommendations how to shift money to areas --

DELEGATE JONES: You will have it at the next plenary session.

Mrs. Ellington.

MRS. ELLINGTON: If I may, I would just like to say were it not for the donation of some of the delegates in terms of services, our budget would be in real trouble. So if more of you could help us with reproductions, with small donations in terms of services in getting letters out, it would help us remain within the confines of the budget. Were it not for the President spending, I would say, ten to fifteen hours a week with me getting support for and getting donations for reproductions, for court services and things like that, we could not have done as much as we have. So we need all of your

help.

DELEGATE JONES: Okay, that completes my report.

THE CHAIRMAN: Thank you very much. Committee Reports.  
Delegate Baldwin.

DELEGATE BALDWIN: The Executive Branch Committee  
chairman.

DELEGATE SIMMONS: Thank you, Mr. Vice President,  
Delegate Baldwin.

The Executive Committee is very happy to report that at this juncture in our progress we have held our two hearings Monday, April 5th, and Wednesday, April 7th. And I would call to your attention a quick look at this hall. You have never sat in this hall when it looked like this. The Executive Branch came here in the wee hours and saw that it was decorated. Also we cleaned the floor and we took on all the custodial things so that it looked presentable when our first witness, who was Mayor Governor Barry, arrived at 9:30 on Monday morning, April 5th.

On April 7th we had 14 witnesses and I want you to know, contrary to your maybe thinking that it was only the chairman of the Republican Party who came here, we got some very significant testimony from the Chief of Police who believes that the executives should be strong, that the

Executive Branch, meaning the Governor, should be a strong one and that the Chief of Police should be appointed by the Governor and that the staff should be elected at the local subdivisions by the people.

Equally as significant we received from the Superintendent of Schools as the Chief State School Officer -- I believe we have people on the floor who are not delegates, Mr. President.

THE CHAIRMAN: Will the gentleman who is speaking to Delegate Graham please allow us to continue without your presence on the floor. Thank you. The convention rules are that only delegates may be on the floor and the desk that you sit in is a part of the floor. If you please sit elsewhere, sir, we thank you very much.

DELEGATE SIMMONS: To continue I would want to share this one point -- and I know I can't give you a capsulation of all of the testimony -- but the Chief State School Officer did make it very clear that it has been her experience since she lived under two of the three kinds of services as a Chief State School Officer, that when the Chief State School Officer is selected by an elective board that you get advocates for education, and that that was not her experience when she worked for the Maryland State Department of Education where the

members are appointed by the Governor. And I think that is important for us to remember. The alternative, of course, is to have the persons elected at large as they do in California and she did not opt for that.

The other significant point that the superintendent made is that she believes that free and public education ought to be through 16 grades, very much as the California Junior College network but more nearly the New York City higher ed network which allows for a baccalaureate degree to be received at public expense.

Suffice it to say that on Monday of this week, the Executive Committee will be meeting from 9:00 to 5:00 on Wednesday, 9:00 to 5:00, and we expect to do a very major segment of the work of this committee with consensus from that body prepared therefore to go to the Counsel, General Counsel, that is.

The commitment of the following Governors we did hear from, we heard from Alabama today.

THE CHAIRMAN: Excuse me, Delegate Simmons, but we have asked that each report be no longer than five minutes and questions no longer --

DELEGATE SIMMONS: Is my five minutes over?

THE CHAIRMAN: I'm afraid so.

DELEGATE SIMMONS: My time is up but I will have you know that I conclude this report, but I want you to know tune in the same time, same station next week and I'll tell you what counts with Mrs. Simmons.

THE CHAIRMAN: Questions? All right, Delegate Simmons, you have a question.

DELEGATE CORN: There is one mistake; it's posted out in the hall, that the Executive Branch Committee is on noon on Monday. I would suggest you make it clear now that it's 9:00 to 5:00 p.m. Monday and Wednesday.

DELEGATE SIMMONS: I appreciate your calling that correction to us. We also had somebody make up for us when our hearing time was, Mr. President. We have always said our hearing on Wednesday would be 9:30 to 3:30 and someone, creative, took it upon themselves to arbitrarily and unilaterally say that our hearing would be 9:00 to 6:00.

THE CHAIRMAN: I'm afraid they did that for all of the hearings, Madame Chairperson.

DELEGATE BALDWIN: Legislative Branch, Mr. Terrell. Do you want us to pass you, Mr. Terrell, or are you ready?

DELEGATE TERRELL: Yes, I will pass.

DELEGATE BALDWIN: Okay. Mr. Blount, Judiciary.



DELEGATE BLOUNT: The Judiciary Committee would like to appeal to all of the delegates to assist us in trying to get witnesses for hearings which will be held on Monday and Wednesday. Our public hearing is on Thursday, late Thursday, so I'm not sure we are going to have anybody at our public hearing.

I would like to especially ask delegates to try to, if you can, come and testify on the part which you sent us, the remarks that you sent us, if you can, either Monday or Wednesday.

DELEGATE BALDWIN: Are there any questions of Mr. Blount? Mr. Blount, there is one question.

DELEGATE BRUNING: I was wondering will you have a draft that you can respond to?

DELEGATE BLOUNT: Now I asked Mrs. Warren -- she has been working the last two days to present a proposal and I gave it to Delegate Cooper this morning and he told me there were some technicalities that they cannot officially present it today. I don't know what the problem is. The Chairman said he has to read it. So, you know, I'm up in the air about it.

It would have been the type of thing that witnesses would have needed to look at it.

DELEGATE JORDAN: Do you have something for us in terms of a proposal yet? Does the committee have any proposals any draft of a proposal yet?

(Simultaneous discussion.)

DELEGATE BALDWIN: Does your committee have a proposal?

DELEGATE BLOUNT: The committee does not have a proposal. I told you last week and I'll tell you again this week that our policy is that the two reasons we have after the public hearings, we are going to draft our articles.

DELEGATE BALDWIN: Suffrage.

DELEGATE JOHNSON: At the meeting of the Suffrage Committee on April 6th, 1982, Dr. Henderson, professor of the Howard University School of Business and Public Administration, reviewed our proposed articles and offered comments on each article. The committee is grateful for the time and expertise given by Dr. Henderson.

Mr. Jim Thackelberry (Phonetic) of Common Cause presented a proposal dealing with apportionment. On Thursday, April 8th, 1982 the committee held its first public hearing from 6:30 to 9:20 p.m. in the District Building, Room 114. The following persons presented comments: Mr. Jim Thackelberry from Common Cause, Mr. Laurence Albert of Private Citizens, Mr. Julius Ware (Phonetic), a UDC student, and Delegate Norman

Nixon.

The public hearings for the Suffrage Committee will continue on April 13th and April 15th at 6:30 p.m. in the District Building, City Council Chambers. We urge the delegates to come as your time permits.

DELEGATE BALDWIN: Any questions?

(No response.)

DELEGATE BALDWIN: Finance and Taxation, Mr. Coates.

DELEGATE BARNES: I agreed to give it for Delegate Coates.

DELEGATE BALDWIN: Okay, Delegate Barnes.

DELEGATE BARNES: The Finance and Taxation Committee has been working fairly hard this week to finalize our articles for the hearings and to finalize our questions that we will pose to the public at the hearings.

Is anyone interested in the brief synopsis of the positions taken?

Okay, are there any questions from the floor?

THE CHAIRMAN: Do you have a written report there?

DELEGATE BARNES: Well, I could just summarize some of the positions.

THE CHAIRMAN: No, no, a written report to submit.

DELEGATE BARNES: You mean the draft articles?

THE CHAIRMAN: No, no, your weekly committee report.

DELEGATE BALDWIN: No, he doesn't have one.

THE CHAIRMAN: Could I just remind everybody. This is the third week that the chair has asked -- and I understand that there is difficulty -- but there are several reasons that we need concise brief summarized reports from each committee. One of the reasons is that Mr. Madison there is preparing a newsletter for us. We have asked you for other information for that.

It would be quite an assistance to him if we could give not only to ourselves but to our media person a summary of the things that go on here, rather than his having to gain from what we say here of what actually happened in our committee meetings.

Let me ask once more that next week that everybody submit a brief, concise written report and make as strenuous an effort to do so under the constraints that we exist under to do so.

Thank you.

DELEGATE BALDWIN: Preamble and Rights, Delegate Mason.

DELEGATE CHARLES MASON: The Preamble and Rights Committee in the absence of the chairperson, Jerry Moore, I

will report that the Preamble and Rights Committee met on April 5th and 7th and discussed the public hearings that are to be held on April 13th and 19th at the Council Chamber in the District Building, Room 500.

The Preamble and Rights Committee will have concepts ready for the public to pick up or pass out to the people who will testify at our hearings. The research assistant, Susan Denham (Phonetic) in the subcommittee, worked very hard to get us up to this point. We have prepared ourselves to have a very good hearing, to have as many people as possible participate. The Preamble and Rights hearings is a crucial part to writing the constitution. If any of you wish to testify or know people who might testify, be sure to have them come and let us know they are coming.

If there are any further questions, feel free to come to any member of the committee. The chairperson of the subcommittee responsible for the summary of items on the rights, Mr. Marcus, I believe has some extra copies here of the material. So if anybody wants -- up to whatever number he has with him -- if anybody wants one, see Michael Marcus.

I might point out that the material which we have available does not constitute a draft of the articles, but simply lists concepts which any member of the committee or

group of members or all members would like to have appear in the article. In some instances maybe only one member of the committee wants this item; in other instances the committee is unanimous. But if anybody on the committee suggested an item to go in the rights' article, that item is listed on the concept paper.

Are there any questions?

(No response.)

DELEGATE CHARLES MASON: If not, I have two or three copies of the report. (Handing copies to the Chairman.)

THE CHAIRMAN: Thank you.

DELEGATE BALDWIN: Education, Mrs. Lockridge.

DELEGATE LOCKRIDGE: I have shared with you at the previous plenary sessions the seven concepts that the Committee on Education has agreed upon and I also indicated to you that we have begun writing on them. At this point, we are still deliberating as far as our ideas are concerned.

Our public hearing is still scheduled for April 13th. There is only one change. The Board Room is being demolished -- to be renovated, but a member of our committee, Mrs. Barbara Lett Simmons, has locked up the superintendent's conference room which is on that same floor and that is where our hearings will be held. But it will still be at the Board of Education.

The Committee on Education is planning to have available for folks copies of the concepts that we have all agreed on so that folks who wish to testify according to those concepts can feel free to do so.

We have as of this moment eight folks who have called in and scheduled for a time to testify. That does not mean that anyone else who wants to come in cannot feel free to do so.

I would like to urge all of my fellow delegates to please feel free to come to our hearing on April 13th as an observer or as a testifier.

Thanks so much.

DELEGATE BALDWIN: Next Legislative Rights, Mr. Long.

DELEGATE LONG: The Legislative Committee has put in language, precise language, about 80 percent of the sections that that committee will eventually write. It's a draft only; things can change but that draft will be made available to the public before the hearing which is to take place on Thursday of next week. As reported in the press, at this point we are recommending unicameral legislature and also staggered four-year terms for the legislatures. The size of the legislature has yet to be taken up.

That completes my report.



THE CHAIRMAN: There is a question for you.

DELEGATE LONG: Yes.

DELEGATE MAGUIRE: When is the session on the size of the legislature projected to happen?

DELEGATE LONG: Monday evening.

DELEGATE MAGUIRE: This coming Monday?

DELEGATE LONG: Yes.

Barbara.

DELEGATE SIMMONS: As a member of that committee, you tell us that you haven't talked about the size. I read in the paper that you recommended 175.

DELEGATE LONG: You sound like Mark Twain, "all I know is what I read in the papers".

The report -- I talked to the reporter who had the article and asked him to come to the meeting so he could find out what was being discussed before he reported them. However, he has yet to take up my offer.

DELEGATE SIMMONS: But then he would be reporting instead of editorializing.

DELEGATE LONG: For the economic development committee we have drafted language for about 50 percent of what appears to be a much too long article that we are going to present to you. The copies of that language will be available to the